

Legal Notice

Comprehensive Bond Review for Barnard Construction Company, Inc. (Hard Rock Mining Operating Permit No. 00130)

The Department of Environmental Quality (DEQ) is conducting a comprehensive bond review for Operating Permit No. 00130 issued to Barnard Construction Company, Inc. (Barnard). Barnard's facility and associated disturbances are located off Montana Highway 287 about ten miles south of Toston, MT. Barnard's Cazier Quarry is in Section 2 Township 3 North, Range 1 East, and Section 35 Township 4 North, Range 1 East in Broadwater County.

DEQ has determined that the current bonding level does not represent the present costs of compliance with the Metal Mine Reclamation Act, administrative rules adopted thereunder, and the operating permit. DEQ is proposing a bond increase of \$39,192 (from \$1,000 to \$40,192). The bond increase is largely due to the need for weed control, changes in fuel price and equipment rates, updated indirect costs- mobilization, contingency, and administrative expenses.

The procedure for adjusting bonds as a result of a comprehensive bond review is set forth in Section 82-4-338(3), MCA. The company and the public will have until September 1, 2023 to comment on the proposed bond increase. DEQ will issue a final bond determination after the comment period has expired. The company, or any person with an interest that may be adversely affected by DEQ's final bond determination, may obtain a contested case hearing before the Board of Environmental Review. A written request for a hearing must be filed with DEQ within 30 days of the issuance of the final bond determination, stating the reason for the request.

Requests for copies of the bond calculation associated with the comprehensive bond review, and any related questions should be directed to Eric Dahlgren, Hard Rock Mining Section Supervisor, Mining Bureau, Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901, by telephone at (406) 444-5245 or by e-mail at DEQHardRock@mt.gov.